

06/15/01

31032 U.S. PTO

A/PLANT

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PTO/SB/19 (4/98)
 Approved for use through 09/30/2000. OMB 0651-0032
 Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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PLANT PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 C.F.R. § 1.53(b))

Attorney Docket No. _____

First Inventor or Application Identifier **Guennadi Eremin**Title **Prunus Plant 'VVA-1'**

Express Mail Label No. _____

ADDRESS TO:

Assistant Commissioner for Patents
 Box Patent Application
 Washington, DC 20231

APPLICATION ELEMENTS

See MPEP chapters 600 & 1600 concerning plant patent application contents.

1. ☒ * Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original, and a duplicate for fee processing)
2. ☒ Specification [Total Pages **9**]
(2 copies required - 37 C.F.R. § 1.163(b)
(preferred arrangement set forth below)
 - Descriptive title of the invention (with Plant's name)
 - Cross References to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings
 - Detailed Botanical Description
 - Claim (only one (1) permitted MPEP 1605)
 - Abstract of the Disclosure
3. ☐ Color drawing(s) [Total Sheets _____]
(2 copies required - 37 C.F.R. § 1.165(b))
4. Oath or Declaration [Total Pages _____]
 - a. ☒ Newly executed (original or copy)
 - b. ☐ Copy from a prior application (37 C.F.R. § 1.63(d))
(for continuation/divisional with Box 15 completed)
 - i. ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. §§ 1.63(d)(2) and 1.33(b).

* NOTE FOR ITEMS 1 & 12: IN ORDER TO BE ENTITLED TO PAY SMALL ENTITY FEES, A SMALL ENTITY STATEMENT IS REQUIRED (37 C.F.R. § 1.27), EXCEPT IF ONE FILED IN A PRIOR APPLICATION IS RELIED UPON (37 C.F.R. § 1.28).

ACCOMPANYING APPLICATION PARTS

5. ☒ Plant Color Coding Sheet
6. ☐ Assignment Papers (cover sheet & document(s))
7. ☐ 37 C.F.R. §3.73(b) Statement ☐ Power of Attorney
(when there is an assignee)
8. ☐ English Translation Document (if applicable)
9. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
10. ☐ Preliminary Amendment
11. ☐ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
12. ☒ * Small Entity Statement(s) ☐ Statement filed in prior application
(PTO/SB/09-12) Status still proper and desired
13. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
14. ☐ Other: _____

15. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No: _____

Prior application information: Examiner _____ Group / Art Unit: _____

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 4b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

16. CORRESPONDENCE ADDRESS

☐ Customer Number or Bar Code Label

(Insert Customer No. or Attach bar code label here)

or ☒ Correspondence address below

Name	Ms. Shannon K. Reeser				
	Varieties International				
Address	P.O. Box 753				
City	Lafayette	State	Oregon	Zip Code	97127
COUNTRY	USA	Telephone	(503) 538-2131	Fax	

Name (Print/Type)

Registration No. (Attorney/Agent)

Signature

Date

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

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FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

(\$) 245.00

Complete if Known

Application Number

Filing Date

First Named Inventor

Guennadi Eremin

Examiner Name

Group Art Unit

Attorney Docket No.

METHOD OF PAYMENT

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit
Account
NumberDeposit
Account
Name
☐ Charge Any Additional Fee Required
Under 37 CFR 1.16 and 1.17

☐ Applicant claims small entity status.
See 37 CFR 1.27

2. ☒ Payment Enclosed:

☒ Check ☐ Credit card ☐ Money
Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
101	710	201	355	Utility filing fee	
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	245.00
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	
SUBTOTAL (1)					(\$) 245.00

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	-20** =	X	=
Multiple Dependent	-3** =	X	=

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	80	202	40	Independent claims in excess of 3
104	270	204	135	Multiple dependent claim, if not paid
109	80	209	40	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2)				

(\$) 0

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
105	130	205	65			Surcharge - late filing fee or oath	
127	50	227	25			Surcharge - late provisional filing fee or cover sheet	
139	130	139	130			Non-English specification	
147	2,520	147	2,520			For filing a request for <i>ex parte</i> reexamination	
112	920*	112	920*			Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*			Requesting publication of SIR after Examiner action	
115	110	215	55			Extension for reply within first month	
116	390	216	195			Extension for reply within second month	
117	890	217	445			Extension for reply within third month	
118	1,390	218	695			Extension for reply within fourth month	
128	1,890	228	945			Extension for reply within fifth month	
119	310	219	155			Notice of Appeal	
120	310	220	155			Filing a brief in support of an appeal	
121	270	221	135			Request for oral hearing	
138	1,510	138	1,510			Petition to institute a public use proceeding	
140	110	240	55			Petition to revive - unavoidable	
141	1,240	241	620			Petition to revive - unintentional	
142	1,240	242	620			Utility issue fee (or reissue)	
143	440	243	220			Design issue fee	
144	600	244	300			Plant issue fee	
122	130	122	130			Petitions to the Commissioner	
123	50	123	50			Processing fee under 37 CFR 1.17(q)	
126	180	126	180			Submission of Information Disclosure Stmt	
581	40	581	40			Recording each patent assignment per property (times number of properties)	
146	710	246	355			Filing a submission after final rejection (37 CFR § 1.129(a))	
149	710	249	355			For each additional invention to be examined (37 CFR § 1.129(b))	
179	710	279	355			Request for Continued Examination (RCE)	
169	900	169	900			Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 0

SUBMITTED BY

Name (Print/Type)

Registration No.

(Attorney/Agent)

Complete (if applicable)

Telephone

Signature

Date

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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VARIETIES
INTERNATIONAL

Tel. 503.538.2131
800.421.4001
Fax 503.538.7616
P.O. Box 549, Dundee, Oregon 97115
E-mail: TREECONN@aol.com

April 9, 2001

Assistant Commissioner for Patents
Box Patent Application
Washington, DE 20231

Re: Patent Application Packet for Prunus Plant 'VVA-1'

Dear Assistant Commissioner:

Enclosed you will find a patent application packet for the above reference plant with the following forms:

- ✓ Plant Patent Application Transmittal
- ✓ Fee Transmittal
- ✓ Plant Patent Application Declaration
- ✓ Declaration - Plant Patent Application
- ✓ Statement Claiming Small Entity Status
- ✓ Plant Color Coding Sheet
- ✓ Two (2) copies of the specifications

I have also enclosed a check in the amount of \$245.00 to cover the basic filing fee. If you have any questions I can be reached at (503) 435-2000 or by e-mail at shannon@meadow-lake.com.

Sincerely,

Shannon K. Reeser
Executive Assistant

Enclosures

09600000-001501

Please type a plus sign (+) in the box → ☐

PTO/SB/20 (8-96)
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Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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PLANT COLOR CODING SHEET <i>(to be used for new applications only)</i>				Attorney Docket Number	
				First Named Inventor	
				Guennadi Eremin	
				FOR OFFICIAL USE ONLY	
				Date of Receipt	
Sheet	1	of	1	Application Number	

PLEASE LIST THE ITEM TO WHICH COLOR IS A DISTINGUISHING FEATURE, THE COLOR CODE WHICH BEST REPRESENTS THAT PLANT STRUCTURE AND THE COLOR CODE SYSTEM.

ITEM	COLOR
Trunk:	
Trunk Bark Color	200C
Lenticel Color	198B
Branches:	
Branch Color	200D
Pubescence Color	201C
Lenticel Color	198B
Leaves:	
Leaf Color (adaxial surface)	135A
Leaf Color (abaxial surface)	134A
Petiole Color	135B
Color of Pubescence	201C
Vein Color (adaxial & abaxial surfaces)	135C
Fruit:	
Stem Color	136C
Skin Color	201C
General Color Effect (with pubescence)	59B
Flesh Color	61A
Seed Color	164B
Flower:	
Bud Color	155C
Flower Color Fully Opened (upper & lower surfaces)	155C
C Color of Peduncle	144D
Color of Pubescence	201C
Color of Pubescence	201C
Calyx Color	144A
Reproductive Organs:	
Stamen Color	155C
Anther Color	22A
Color of Pollen	22A
Pistil Color	9A
Style Color	9A
Ovary Color	155C
COLOR CODE SYSTEM:	RHS Colour Chart of the Royal Horticultural Society

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